

**AMENDMENT TO H.R. 1000, AS REPORTED
OFFERED BY MR. SHUSTER OF PENNSYLVANIA**

At the end of section 102 of the bill, insert the following:

1 (c) ALASKA NATIONAL AIR SPACE COMMUNICATIONS
2 SYSTEM.—Section 48101 is further amended by adding
3 at the end the following:

4 “(e) ALASKA NATIONAL AIR SPACE COMMUNICA-
5 TIONS SYSTEM.—Of the amounts appropriated under sub-
6 section (a) for fiscal year 2001, \$7,200,000 may be used
7 by the Administrator for the Alaska National Air Space
8 Interfacility Communications System if the Administrator
9 issues a report supporting the use of such funds for the
10 System.”.

11 (d) AUTOMATED SURFACE OBSERVATION SYSTEM/
12 AUTOMATED WEATHER OBSERVING SYSTEM UPGRADE.—
13 Section 48101 is further amended by adding at the end
14 the following:

15 “(f) AUTOMATED SURFACE OBSERVATION SYSTEM/
16 AUTOMATED WEATHER OBSERVING SYSTEM UPGRADE.—
17 Of the amounts appropriated under subsection (a) for fis-
18 cal years beginning after September 30, 2000, such sums
19 as may be necessary for the implementation and use of
20 upgrades to the current automated surface observation

1 system/automated weather observing system, if the up-
2 grade is successfully demonstrated.”.

In the matter to be added by section 103(a)(3) of the bill as paragraph (2) of section 106(k) of title 49, United States Code, strike “and” at the end of subparagraph (F)(ii) and strike the period at the end of subparagraph (G) and insert “; and” and the following:

“(H) such sums as may be necessary for the Secretary to hire additional inspectors in order to enhance air cargo security programs.

At the end of section 103 of the bill, insert the following:

3 (d) OFFICE OF AIRLINE INFORMATION.—There is
4 authorized to be appropriated from the Airport and Air-
5 way Trust Fund to the Secretary \$4,000,000 for fiscal
6 years beginning after September 30, 2000, to fund the ac-
7 tivities of the Office of Airline Information in the Bureau
8 of Transportation Statistics of the Department of Trans-
9 portation.

In section 104(h) of the bill, strike paragraph (1) and insert the following:

10 (1) in subparagraph (A)—
11 (A) by striking “31 percent” each place it
12 appears and inserting “34 percent”;

1 (B) in the first sentence by striking “and
2 for carrying out” and inserting “, for carrying
3 out”; and

4 (C) by striking the period at the end of the
5 first sentence and inserting the following: “,
6 and for noise mitigation projects approved in
7 the environmental record of decision for an air-
8 port development project under this chapter.”.

In section 122 of the bill, strike “and” the last place it appears.

In section 123(c)(1) of the bill, strike the period following “landing light systems” and insert “; and”.

In section 130(a)(1) of the bill, strike “12 for fiscal year 2000” and insert “15 for fiscal year 2000”.

In section 130(a) of the bill, in the matter to be added as section 47118(f) of title 49, United States Code, strike “at least 3 of the airports designated under subsection (a)” and insert “1 airport of the airports designated under subsection (a) for fiscal year 2000 and 3 airports for each fiscal year thereafter”.

In section 134 of the bill, in the matter proposed to be added as section 47137 of title 49, United States Code, redesignate subsections (d) through (g) as sub-

sections (e) through (h), respectively, and insert after subsection (c) the following:

1 “(d) TECHNICAL ASSISTANCE.—

2 “(1) IN GENERAL.—The sponsor of a public-use
3 airport carrying out inherently low-emission vehicle
4 activities under the pilot program may use not to ex-
5 ceed 10 percent of the amounts made available for
6 expenditure at the airport in a fiscal year under the
7 pilot program to receive technical assistance in car-
8 rying out such activities.

9 “(2) ELIGIBLE CONSORTIUM.—To the maxi-
10 mum extent practicable, a sponsor shall use an eligi-
11 ble consortium (as defined in section 5506 of this
12 title) in the region of the airport to receive technical
13 assistance described in paragraph (1).

At the end of subtitle B of title I of the bill, add
the following (and conform the table of contents of the
bill accordingly):

14 **SEC. 137. INTERMODAL CONNECTIONS.**

15 (a) AIRPORT IMPROVEMENT POLICY.—Section
16 47101(a)(5) is amended to read as follows:

17 “(5) to encourage the development of inter-
18 modal connections between airports and other trans-
19 portation modes and systems to promote economic

1 development in a way that will serve States and local
2 communities efficiently and effectively;”.

3 (b) AIRPORT DEVELOPMENT DEFINED.—Section
4 47102(3) is further amended by adding at the end the
5 following:

6 “(I) constructing, reconstructing, or im-
7 proving an airport, or purchasing capital equip-
8 ment for an airport, for the purpose of transfer-
9 ring passengers, cargo, or baggage between the
10 airport and ground transportation modes.”.

11 **SEC. 138. STATE BLOCK GRANT PROGRAM.**

12 Section 47128(a) is amended by striking “9 quali-
13 fied” and inserting “10 qualified”.

14 **SEC. 139. ENGINEERED MATERIALS ARRESTING SYSTEMS.**

15 (a) ELIGIBILITY.—Section 47102(3)(B) (as amended
16 by this Act) is amended by adding at the end the follow-
17 ing:

18 “(ix) engineered materials arresting
19 systems as described in the Advisory Cir-
20 cular No. 150/5220–22 published by the
21 Federal Aviation Administration on August
22 21, 1998.”.

23 (b) RULEMAKING.—The Administrator shall initiate
24 a rulemaking proceeding to consider revisions to part 139
25 of title 14, Code of Federal Regulations, to improve run-

1 way safety through the use of engineered materials arrest-
2 ing systems, longer runways, and such other techniques
3 as the Administrator considers appropriate.

In section 153(a)(1) of the bill, strike “1999
through 2004” and insert “2000 through 2002”.

At the end of subtitle C of title I of the bill add the
following (and conform the table of contents of the bill
accordingly):

4 **SEC. 157. AIRCRAFT NOISE PRIMARILY CAUSED BY MILI-**
5 **TARY AIRCRAFT.**

6 Section 47504(c) is amended by adding at the end
7 the following:

8 “(6) AIRCRAFT NOISE PRIMARILY CAUSED BY
9 MILITARY AIRCRAFT.—The Administrator may make
10 a grant under this subsection for a project even if
11 the purpose of the project is to mitigate the effect
12 of noise primarily caused by military aircraft at an
13 airport.”.

14 **SEC. 158. TIMELY ANNOUNCEMENT OF GRANTS.**

15 The Secretary of Transportation shall announce the
16 making of grants with funds made available under section
17 48103 of title 49, United States Code, in a timely fashion
18 after receiving necessary documentation for the making of
19 such grants from the Administrator.

At the end of title III of the bill, add the following:

1 SEC. 308. FAILURE TO MEET RULEMAKING DEADLINE.

2 Section 106(f)(3)(A) is amended by adding at the end
3 the following: “If the Administrator does not meet a dead-
4 line specified in this subparagraph, the Administrator
5 shall transmit to Congress notification of the missed dead-
6 line, including an explanation for missing the deadline and
7 a projected date on which the action that was subject to
8 the deadline will be taken.”.

9 SEC. 309. FEDERAL PROCUREMENT INTEGRITY ACT.

10 Section 348(b)(2) of the Department of Transpor-
11 tation and Related Agencies Appropriations Act, 1996 (49
12 U.S.C. 40110 note; 109 Stat. 460) is amended by striking
13 the period and inserting the following: “, other than sec-
14 tion 27 of the Office of Federal Procurement Policy Act
15 (41 U.S.C. 423); except that subsections (f) and (g) of
16 such section 27 shall not apply to the Federal Aviation
17 Administration’s acquisition management system. Within
18 90 days following the date of enactment of the Aviation
19 Investment and Reform Act for the 21st Century, the Ad-
20 ministrator of the Federal Aviation Administration shall
21 adopt definitions for the acquisition management system
22 that are consistent with the purpose and intent of this sec-
23 tion and that will allow the application of the criminal,
24 civil and administrative remedies provided. The Adminis-

1 trator shall have the authority to take an adverse person-
2 nel action provided in subsection (e)(3)(A)(iv) of such sec-
3 tion 27, but shall take any such actions in accordance with
4 the procedures contained in the Federal Aviation Adminis-
5 tration's personnel management system.”.

In the matter to be added by section 507(a) of the bill to chapter 447 of title 49, United States Code, as section 44725(b)(4) of the bill, insert “every time the part is removed from service or” after “updated”.

In section 507(b)(3) of the bill, in the matter proposed to be added as section 46301(a)(3)(C) of title 49, United States Code, strike “or”.

In section 508 of the bill, in the matter to be inserted as section 46316 of title 49, United States Code—

(1) insert “(a) CIVIL PENALTY.—” before “An individual”; and

(2) strike the closing quotation marks and the final period at the end of subsection (a) (as so designated) and insert the following:

6 “(b) BAN ON FLYING.—If the Secretary finds that
7 an individual has interfered with the duties or responsibil-
8 ities of the flight crew or cabin crew of a civil aircraft
9 in a way that poses an imminent threat to the safety of
10 the aircraft or individuals aboard the aircraft, the individ-

1 ual may be banned by the Secretary for a period of 1 year
2 from flying on any aircraft operated by an air carrier.

3 “(c) REGULATIONS.—The Secretary shall issue regu-
4 lations to carry out subsection (b), including establishing
5 procedures for imposing bans on flying, implementing
6 such bans, and providing notification to air carriers of the
7 imposition of such bans.”.

At the end of title V of the bill, add the following
(and conform the table of contents of the bill accord-
ingly):

8 **SEC. 511. LANDFILLS INTERFERING WITH AIR COMMERCE.**

9 (a) FINDINGS.—Congress finds that—

10 (1) collisions between aircraft and birds have
11 resulted in fatal accidents;

12 (2) bird strikes pose a special danger to smaller
13 aircraft;

14 (3) landfills near airports pose a potential haz-
15 ard to aircraft operating there because they attract
16 birds;

17 (4) even if the landfill is not located in the ap-
18 proach path of the airport’s runway, it still poses a
19 hazard because of the birds’ ability to fly away from
20 the landfill and into the path of oncoming planes;

21 (5) while certain mileage limits have the poten-
22 tial to be arbitrary, keeping landfills at least 6 miles

1 away from an airport, especially an airport served by
2 small planes, is an appropriate minimum require-
3 ment for aviation safety; and

4 (6) closure of existing landfills (due to concerns
5 about aviation safety) should be avoided because of
6 the likely disruption to those who use and depend on
7 such landfills.

8 (b) LIMITATION ON CONSTRUCTION.—Section
9 44718(d) is amended to read as follows:

10 “(d) LIMITATION ON CONSTRUCTION OF LAND-
11 FILLS.—

12 “(1) IN GENERAL.—No person shall construct
13 or establish a landfill within 6 miles of an airport
14 primarily served by general aviation aircraft or air-
15 craft designed for 60 passengers or less unless the
16 State aviation agency of the State in which the air-
17 port is located requests that the Administrator of
18 the Federal Aviation Administration exempt the
19 landfill from this prohibition and the Administrator,
20 in response to such a request, determines that the
21 landfill would not have an adverse impact on avia-
22 tion safety.

23 “(2) LIMITATION ON APPLICABILITY.—Para-
24 graph (1) shall not apply to construction or estab-
25 lishment of a landfill if a permit relating to con-

1 construction or establishment of such landfill was issued
2 on or before June 1, 1999.”.

3 (c) CIVIL PENALTY FOR VIOLATIONS OF LIMITATION
4 ON CONSTRUCTION OF LANDFILLS.—Section 46301(a)(3)
5 is further amended by adding at the end the following:

6 “(D) a violation of section 41718(d), relating to
7 limitation on construction of landfills; or”.

8 **SEC. 512. AMENDMENT OF STATUTE PROHIBITING THE**
9 **BRINGING OF HAZARDOUS SUBSTANCES**
10 **ABOARD AN AIRCRAFT.**

11 Section 46312 is amended—

12 (1) by striking “A person” and inserting “(a)
13 GENERAL.—A person”; and

14 (2) by adding at the end the following:

15 “(b) KNOWLEDGE OF REGULATIONS.—For purposes
16 of subsection (a), knowledge by the person of the existence
17 of a regulation or requirement related to the transpor-
18 tation of hazardous material prescribed by the Secretary
19 under this part is not an element of an offense under this
20 section but shall be considered in mitigation of the pen-
21 alty.”.

22 **SEC. 513. AIRPORT SAFETY NEEDS.**

23 The Administrator shall initiate a rulemaking pro-
24 ceeding to consider revisions of part 139 of title 14, Code

1 of Federal Regulations, to meet current and future airport
2 safety needs—

3 (1) focusing, but not limited to, on the mission
4 of rescue personnel, rescue operations response time,
5 and extinguishing equipment; and

6 (2) taking into account the need for different
7 requirements for airports depending on their size.

8 **SEC. 514. LIMITATION ON ENTRY INTO MAINTENANCE IM-**
9 **PLEMENTATION PROCEDURES.**

10 The Administrator may not enter into any mainte-
11 nance implementation procedure through a bilateral avia-
12 tion safety agreement unless the Administrator determines
13 that the participating nations are inspecting repair sta-
14 tions so as to ensure their compliance with the standards
15 of the Federal Aviation Administration.

16 **SEC. 515. OCCUPATIONAL INJURIES OF AIRPORT WORK-**
17 **ERS.**

18 (a) STUDY.—The Administrator shall conduct a
19 study to determine the number of persons working at air-
20 ports who are injured or killed as a result of being struck
21 by a moving vehicle while on an airport tarmac, the seri-
22 ousness of the injuries to such persons, and whether or
23 not reflective safety vests or other actions should be re-
24 quired to enhance the safety of such workers.

1 (b) REPORT.—Not later than 1 year after the date
2 of the enactment of this Act, the Administrator shall
3 transmit to Congress a report on the results of the study
4 conducted under this section.

5 **SEC. 516. AIRPORT DISPATCHERS.**

6 (a) STUDY.—The Administrator shall conduct a
7 study of the role of airport dispatchers in enhancing avia-
8 tion safety. The study shall include an assessment of
9 whether or not aircraft dispatchers should be required for
10 those operations not presently requiring aircraft dis-
11 patcher assistance, operational control issues related to
12 the aircraft dispatching function, and whether or not des-
13 ignation of positions within the Federal Aviation Adminis-
14 tration for oversight of dispatchers would enhance aviation
15 safety.

16 (b) REPORT.—Not later than 1 year after the date
17 of the enactment of this Act, the Administrator shall
18 transmit to Congress a report on the results of the study
19 conducted under this section.

20 **SEC. 517. IMPROVED TRAINING FOR AIRFRAME AND POW-**
21 **ERPLANT MECHANICS.**

22 The Administrator shall form a partnership with in-
23 dustry to develop a model program to improve the curricu-
24 lum, teaching methods, and quality of instructors for

- 1 training individuals that need certification as airframe and
- 2 powerplant mechanics.

In section 702(a) of the bill, in the proposed section 40102(a)(38) of title 49, United States Code, strike the closing quotation marks and the final period and insert the following:

- 3 “(E) owned by the armed forces or char-
- 4 tered to provide transportation to the armed
- 5 forces under the conditions specified by section
- 6 40125(d).”.

In section 702(b) of the bill, in the matter to be added as section 40125(a) of title 49, United States Code—

(1) in paragraph (1) after “does not include the operation of an aircraft” insert “by the armed forces for reimbursement when that reimbursement is required by Federal law or”; and

(2) in paragraph (2)—

(A) after “such as” insert “national defense, intelligence missions,”; and

(B) after “law enforcement” insert “(including transport of prisoners, detainees, and illegal aliens)”.

In section 702(b) of the bill, at the end of the matter to be added as section 40125(a) of title 49, United States Code, add the following:

1 “(4) ARMED FORCES.—The term ‘armed forces’
2 has the meaning given such term by section 101 of
3 title 10.

In section 702(b) of the bill, in the matter to be added as section 40125(c), strike the closing quotation marks and the final period and insert the following:

4 “(d) AIRCRAFT OWNED OR OPERATED BY THE
5 ARMED FORCES.—An aircraft described in section
6 40102(38)(E) qualifies as a public aircraft if—
7 “(1) the aircraft is operated in accordance with
8 title 10; or
9 “(2) the aircraft is chartered to provide trans-
10 portation to the armed forces and the Secretary of
11 Defense (or the Secretary of the department in
12 which the Coast Guard is operating) designates the
13 operation of the aircraft as being required in the na-
14 tional interest.”.

At the end of section 702 of the bill, add the following:

15 (c) SAFETY OF PUBLIC AIRCRAFT.—

1 (1) STUDY.—The National Transportation
2 Safety Board shall conduct a study to compare the
3 safety of public aircraft and civil aircraft. In con-
4 ducting the study, the Board shall review safety sta-
5 tistics on aircraft operations since 1993.

6 (2) REPORT.—Not later than 6 months after
7 the date of enactment of this Act, the National
8 Transportation Safety Board shall transmit to Con-
9 gress a report containing the results of the study
10 conducted under paragraph (1).

Strike section 706(c) of the bill and insert the fol-
lowing:

11 (c) DISCRIMINATION AGAINST HANDICAPPED INDIV-
12 VIDUALS BY FOREIGN AIR CARRIERS.—Section 41705 is
13 amended—

14 (1) by inserting “(a) GENERAL PROHIBITION.—
15 ” before “In providing”; and

16 (2) by adding at the end the following:

17 “(b) PROHIBITION APPLICABLE TO FOREIGN AIR
18 CARRIERS.—Subject to section 40105(b), the prohibition
19 on discrimination against an otherwise qualified individual
20 set forth in subsection (a) shall apply to a foreign air car-
21 rier in providing foreign air transportation.”.

In section 706(d) of the bill, in the matter to be added as section 46301(a)(3)(D) of title 49, United States Code, strike “(D)” and insert “(E)”.

In section 711 of the bill, in the matter to be inserted as subsection (c)(1), strike “date of birth”.

At the end of title VII of the bill, add the following (and conform the table of contents of the bill accordingly):

1 SEC. 732. CINCINNATI-MUNICIPAL BLUE ASH AIRPORT.

2 (a) APPROVAL OF SALE.—To maintain the efficient
3 utilization of airports in the high-growth Cincinnati local
4 airport system, and to ensure that the Cincinnati-Municipal Blue Ash Airport continues to operate to relieve congestion at Cincinnati-Northern Kentucky International
5 Airport and to provide greater access to the general aviation community beyond the expiration of the city of Cincinnati’s grant obligations, the Secretary of Transportation may approve the sale of Cincinnati-Municipal Blue
6 Ash Airport from the city of Cincinnati to the city of Blue
7 Ash upon a finding that the city of Blue Ash meets all
8 applicable requirements for sponsorship and if the city of
9 Blue Ash agrees to continue to maintain and operate Blue
10 Ash Airport, as generally contemplated and described
11 within the Blue Ash Master Plan Update dated November
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1 30, 1998, for a period of 20 years from the date existing
2 grant assurance obligations of the city of Cincinnati ex-
3 pire.

4 (b) TREATMENT OF PROCEEDS FROM SALE.—The
5 proceeds from the sale approved under subsection (a) shall
6 not be considered to be airport revenue for purposes of
7 section 47107 and 47133 of title 49, United States Code,
8 grant obligations of the city of Cincinnati, or regulations
9 and policies of the Federal Aviation Administration.

10 **SEC. 733. AIRCRAFT AND AIRCRAFT PARTS FOR USE IN RE-**
11 **SPONDING TO OIL SPILLS.**

12 (a) AUTHORITY TO SELL.—

13 (1) IN GENERAL.—Notwithstanding section 202
14 of the Federal Property and Administrative Services
15 Act of 1949 (40 U.S.C. 483) and subject to sub-
16 sections (b) and (c), the Secretary of Defense may,
17 during the period beginning June 15, 1999, and
18 ending September 30, 2002, sell aircraft and air-
19 craft parts referred to in paragraph (2) to a person
20 or governmental entity that contracts to deliver oil
21 dispersants by air in order to disperse oil spills, and
22 that has been approved by the Secretary of the De-
23 partment in which the Coast Guard is operating for
24 the delivery of oil dispersants by air in order to dis-
25 perse oil spills.

1 (2) COVERED AIRCRAFT AND AIRCRAFT
2 PARTS.—The aircraft and aircraft parts that may be
3 sold under paragraph (1) are aircraft and aircraft
4 parts of the Department of Defense that are deter-
5 mined by the Secretary of Defense to be—

6 (A) excess to the needs of the Department;

7 (B) acceptable for commercial sale; and

8 (C) with respect to aircraft, 10 years old
9 or older.

10 (b) CONDITIONS OF SALE.—Aircraft and aircraft
11 parts sold under subsection (a)—

12 (1) may be used only for oil spill spotting, ob-
13 servation, and dispersant delivery; and

14 (2) may not be flown outside of or removed
15 from the United States, except for the purpose of
16 fulfilling an international agreement to assist in oil
17 spill dispersing efforts or for other purposes that are
18 jointly approved by the Secretary of Defense and the
19 Secretary of Transportation.

20 (c) CERTIFICATION OF PERSONS AND ENTITIES.—

21 The Secretary of Defense may sell aircraft and aircraft
22 parts to a person or governmental entity under subsection
23 (a) only if the Secretary of Transportation certifies to the
24 Secretary of Defense, in writing, before the sale, that the
25 person or governmental entity is capable of meeting the

1 terms and conditions of a contract to deliver oil spill
2 dispersants by air.

3 (d) REGULATIONS.—

4 (1) IN GENERAL.—As soon as practicable after
5 the date of enactment of this Act, the Secretary of
6 Defense, in consultation with the Secretary of
7 Transportation and the Administrator of General
8 Services, shall issue regulations relating to the sale
9 of aircraft and aircraft parts under this section.

10 (2) CONTENTS.—The regulations shall—

11 (A) ensure that the sale of the aircraft and
12 aircraft parts is made at a fair market value as
13 determined by the Secretary of Defense, and, to
14 the extent practicable, on a competitive basis;

15 (B) require a certification by the purchaser
16 that the aircraft and aircraft parts will be used
17 in accordance with the conditions set forth in
18 subsection (b);

19 (C) establish appropriate means of verify-
20 ing and enforcing the use of the aircraft and
21 aircraft parts by the purchaser and other users
22 in accordance with the conditions set forth in
23 subsection (b) or pursuant to subsection (e);
24 and

1 (D) ensure, to the maximum extent prac-
2 ticable, that the Secretary of Defense consults
3 with the Administrator of General Services and
4 with the heads of other appropriate depart-
5 ments and agencies of the Federal Government
6 regarding alternative uses for such aircraft and
7 aircraft parts before the sale of such aircraft
8 and aircraft parts under this section.

9 (e) ADDITIONAL TERMS AND CONDITIONS.—The
10 Secretary of Defense may require such other terms and
11 conditions in connection with each sale of aircraft and air-
12 craft parts under this section as the Secretary of Defense
13 considers appropriate for such sale. Such terms and condi-
14 tions shall meet the requirements of regulations issued
15 under subsection (d).

16 (f) REPORT.—Not later than March 31, 2002, the
17 Secretary of Defense shall submit to the Committee on
18 Armed Services and the Committee on Commerce,
19 Science, and Transportation of the Senate and the Com-
20 mittee on Armed Services and the Committee on Trans-
21 portation and Infrastructure of the House of Representa-
22 tives a report on the Secretary of Defense's exercise of
23 authority under this section. The report shall set forth—

1 (1) the number and types of aircraft sold under
2 this section, and the terms and conditions under
3 which the aircraft were sold;

4 (2) the persons or entities to which the aircraft
5 were sold; and

6 (3) an accounting of the current use of the air-
7 craft sold.

8 (g) CONSTRUCTION.—Nothing in this section may be
9 construed as affecting the authority of the Administrator
10 of the Federal Aviation Administration under any other
11 provision of law.

12 (h) PROCEEDS FROM SALE.—The net proceeds of
13 any amounts received by the Secretary of Defense from
14 the sale of aircraft and aircraft parts under this section
15 shall be deposited into the general fund of the Treasury
16 as miscellaneous receipts.

17 **SEC. 734. DISCRIMINATORY PRACTICES BY COMPUTER RES-**
18 **ERVATIONS SYSTEMS OUTSIDE THE UNITED**
19 **STATES.**

20 (a) ACTIONS AGAINST DISCRIMINATORY ACTIVITY BY
21 FOREIGN CRS SYSTEMS.—Section 41310 is amended by
22 adding at the end the following:

23 “(g) ACTIONS AGAINST DISCRIMINATORY ACTIVITY
24 BY FOREIGN CRS SYSTEMS.—The Secretary of Transpor-
25 tation may take such actions as the Secretary considers

1 are in the public interest to eliminate an activity of a for-
2 eign air carrier that owns or markets a computer reserva-
3 tions system, or of a computer reservations system firm
4 whose principal offices are located outside the United
5 States, when the Secretary, on the initiative of the Sec-
6 retary or on complaint, decides that the activity, with re-
7 spect to airline service—

8 “(1) is an unjustifiable or unreasonable dis-
9 criminatory, predatory, or anticompetitive practice
10 against a computer reservations system firm whose
11 principal offices are located inside the United States;
12 or

13 “(2) imposes an unjustifiable or unreasonable
14 restriction on access of such a computer reservations
15 system to a foreign market.”.

16 (b) COMPLAINTS BY CRS FIRMS.—Section 41310 is
17 amended—

18 (1) in subsection (d)(1)—

19 (A) by striking “air carrier” in the first
20 sentence and inserting “air carrier, computer
21 reservations system firm,”;

22 (B) by striking “subsection (c)” and in-
23 serting “subsection (e) or (g)”; and

1 (C) by striking “air carrier” in subpara-
2 graph (B) and inserting “air carrier or com-
3 puter reservations system firm”; and

4 (2) in subsection (e)(1) by inserting “or a com-
5 puter reservations system firm is subject when pro-
6 viding services with respect to airline service” before
7 the period at the end of the first sentence.

8 **SEC. 735. ALKALI SILICA REACTIVITY DISTRESS.**

9 (a) IN GENERAL.—The Administrator may make a
10 grant to, or enter into a cooperative agreement with, a
11 nonprofit organization for the conduct of a study on the
12 impact of alkali silica reactivity distress on airport run-
13 ways and taxiways and the use of lithium salts and other
14 alternatives for mitigation and prevention of such distress.

15 (b) REPORT.—Not later than 18 months after mak-
16 ing a grant, or entering into a cooperative agreement,
17 under subsection (a) the Administrator shall transmit a
18 report to Congress on the results of the study.

19 **SEC. 736. PROCUREMENT OF PRIVATE ENTERPRISE MAP-**
20 **PING, CHARTING, AND GEOGRAPHIC INFOR-**
21 **MATION SYSTEMS.**

22 The Administrator shall consider procuring mapping,
23 charting, and geographic information systems necessary to
24 carry out the duties of the Administrator under title 49,
25 United States Code, from private enterprises, if the Ad-

1 ministrator determines that such procurement furthers
2 the mission of the Federal Aviation Administration and
3 is cost effective.

4 **SEC. 737. LAND USE COMPLIANCE REPORT.**

5 Section 47131 is amended—

6 (1) by striking “and” at the end of paragraph
7 (3);

8 (2) by striking the period at the end of para-
9 graph (4) and inserting “; and”; and

10 (3) by adding at the end the following:

11 “(5) a detailed statement listing airports that
12 are not in compliance with grant assurances or other
13 requirements with respect to airport lands and in-
14 cluding the circumstances of such noncompliance,
15 the timelines for corrective action, and the corrective
16 action the Secretary intends to take to bring the air-
17 port sponsor into compliance.”.

18 **SEC. 738. NATIONAL TRANSPORTATION DATA CENTER OF**
19 **EXCELLENCE.**

20 Of the amounts made available pursuant to section
21 5117(b)(6)(B) of the Transportation Equity Act for the
22 21st Century (23 U.S.C. 502 note; 112 Stat. 450), not
23 to exceed \$1,000,000 for each of fiscal years 2000 and
24 2001 may be made available by the Secretary of Transpor-
25 tation to establish, at an Army depot that has been closed

1 or realigned, a national transportation data center of ex-
2 cellence that will—

3 (1) serve as a satellite facility for the central
4 data repository that is hosted by the computer cen-
5 ter of the Transportation Administrative Service;
6 and

7 (2) analyze transportation data collected by the
8 Federal Government, States, cities, and the trans-
9 portation industry.

10 **SEC. 739. MONROE REGIONAL AIRPORT LAND CONVEY-**
11 **ANCE.**

12 The Secretary of Transportation shall waive all terms
13 contained in the 1949 deed of conveyance under which the
14 United States conveyed certain property then constituting
15 Selman Field, Louisiana, to the city of Monroe, Louisiana,
16 subject to the following conditions:

17 (1) The city agrees that in conveying any inter-
18 est in such property the city will receive an amount
19 for such interest that is equal to the fair market
20 value for such interest.

21 (2) The amount received by the city for such
22 conveyance shall be used by the city—

23 (A) for the development, improvement, op-
24 eration, or maintenance of a public airport; or

1 (B) for the development or improvement of
2 the city's airport industrial park co-located with
3 the Monroe Regional Airport to the extent that
4 such development or improvement will result in
5 an increase, over time, in the amount the indus-
6 trial park will pay to the airport to an amount
7 that is greater than the amount the city re-
8 ceived for such conveyance.

9 **SEC. 740. AUTOMATED WEATHER FORECASTING SYSTEMS.**

10 (a) CONTRACT FOR STUDY.—The Administrator
11 shall contract with the National Academy of Sciences to
12 conduct a study of the effectiveness of the automated
13 weather forecasting systems of covered flight service sta-
14 tions solely with regard to providing safe and reliable air-
15 port operations.

16 (b) COVERED FLIGHT SERVICE STATIONS.—In this
17 section, the term “covered flight service station” means
18 a flight service station where automated weather observa-
19 tion constitutes the entire observation and no additional
20 weather information is added by a human weather ob-
21 server.

22 (c) REPORT.—Not later than 1 year after the date
23 of enactment of this Act, the Administrator shall transmit
24 to the Congress a report on the results of the study.

1 **SEC. 741. NOISE STUDY OF SKY HARBOR AIRPORT, PHOE-**
2 **NIX, ARIZONA.**

3 (a) IN GENERAL.—The Administrator of the Federal
4 Aviation Administration shall conduct a study on recent
5 changes to the flight patterns of aircraft using Sky Harbor
6 Airport in Phoenix, Arizona, and the effects of such
7 changes on the noise contours in the Phoenix, Arizona,
8 region.

9 (b) REPORT.—

10 (1) IN GENERAL.—Not later than 90 days after
11 the enactment of this section, the Administrator
12 shall submit a report to Congress containing the re-
13 sults of the study conducted under subsection (a)
14 and recommendations for measures to mitigate air-
15 craft noise over populated areas in the Phoenix, Ari-
16 zona, region.

17 (2) AVAILABILITY TO THE PUBLIC.—The Ad-
18 ministrator shall make the report described in para-
19 graph (1) available to the public.

20 **SEC. 742. NONMILITARY HELICOPTER NOISE.**

21 (a) IN GENERAL.—The Secretary of Transportation
22 shall conduct a study—

23 (1) on the effects of nonmilitary helicopter noise
24 on individuals; and

25 (2) to develop recommendations for the reduc-
26 tion of the effects of nonmilitary helicopter noise.

1 (b) CONSIDERATION OF VIEWS.—In conducting the
2 study under this section, the Secretary shall consider the
3 views of representatives of the helicopter industry and rep-
4 resentatives of organizations with an interest in reducing
5 nonmilitary helicopter noise.

6 (c) REPORT.—Not later than 1 year after the date
7 of enactment of this Act, the Secretary shall transmit to
8 Congress a report on the results of the study under this
9 section.

At the end of section 40126(e) to be added to chap-
ter 401 of title 49, United States Code, by section 803(a)
of the bill, insert the following:

10 “(3) LAKE MEAD.—This section shall not apply
11 to any air tour operator while flying over or near the
12 Lake Mead National Recreation Area solely, as a
13 transportation route, to conduct an air tour over the
14 Grand Canyon National Park.

In title VIII of the bill, redesignate section 806 and
807 as sections 807 and 808, respectively, and insert
after section 805 the following:

15 **SEC. 806. METHODOLOGIES USED TO ASSESS AIR TOUR**
16 **NOISE.**

17 Any methodology adopted by a Federal agency to as-
18 sess air tour noise in any unit of the national park system

1 (including the Grand Canyon and Alaska) shall be based
2 on reasonable scientific methods.

Strike section 202 of the bill and insert the following:

3 **SEC. 202. FUNDING FOR AIR CARRIER SERVICE TO AIR-**
4 **PORTS NOT RECEIVING SUFFICIENT SERV-**
5 **ICE.**

6 (a) FUNDING FOR AIRPORTS NOT RECEIVING SUFFI-
7 CIENT SERVICE.—Chapter 417 is amended by adding at
8 the end the following:

9 **“§ 41743. Airports not receiving sufficient service**

10 “(a) TYPES OF ASSISTANCE.—The Secretary of
11 Transportation may use amounts made available under
12 this section—

13 “(1) to provide assistance to an air carrier to
14 subsidize service to and from an underserved airport
15 for a period not to exceed 3 years;

16 “(2) to provide assistance to an underserved
17 airport to obtain jet aircraft service (and to promote
18 passenger use of that service) to and from the un-
19 derserved airport; and

20 “(3) to provide assistance to an underserved
21 airport to implement such other measures as the
22 Secretary, in consultation with such airport, consid-
23 ers appropriate to improve air service both in terms

1 of the cost of such service to consumers and the
2 availability of such service, including improving air
3 service through marketing and promotion of air
4 service and enhanced utilization of airport facilities.

5 “(b) PRIORITY CRITERIA FOR ASSISTING AIRPORTS
6 NOT RECEIVING SUFFICIENT SERVICE.—In providing as-
7 sistance to airports under subsection (a), the Secretary
8 shall give priority to those airports for which a community
9 will provide, from local sources (other than airport reve-
10 nues), a portion of the cost of the activity to be assisted.

11 “(c) DEFINITIONS.—In this section, the following
12 definitions apply:

13 “(1) UNDERSERVED AIRPORT.—The term ‘un-
14 derserved airport’ means a nonhub airport or small
15 hub airport (as such terms are defined in section
16 41731) that—

17 “(A) the Secretary determines is not re-
18 ceiving sufficient air carrier service; or

19 “(B) has unreasonably high airfares.

20 “(2) UNREASONABLY HIGH AIRFARE.—The
21 term ‘unreasonably high airfare’, as used with re-
22 spect to an airport, means that the airfare listed in
23 the table entitled ‘Top 1,000 City-Pair Market Sum-
24 marized by City’, contained in the Domestic Airline
25 Fares Consumer Report of the Department of

1 Transportation, for one or more markets for which
2 the airport is a part of has an average yield listed
3 in such table that is more than 19 cents.

4 “(d) AUTHORITY TO MAKE AGREEMENTS AND
5 INCUR OBLIGATIONS.—

6 “(1) IN GENERAL.—The Secretary may make
7 agreements and incur obligations from the Airport
8 and Airway Trust Fund to provide assistance under
9 this section. An agreement by the Secretary under
10 this subsection is a contractual obligation of the
11 Government to pay the Government’s share of the
12 compensation. Contract authority made available by
13 this paragraph shall be subject to an obligation limi-
14 tation.

15 “(2) AMOUNTS MADE AVAILABLE.—There shall
16 be available to the Secretary out of the Fund not
17 more than \$25,000,000 for each of fiscal years 2000
18 through 2004 to incur obligations under this section.
19 Amounts made available under this section shall re-
20 main available until expended.”.

21 (c) CONFORMING AMENDMENT.—The analysis for
22 chapter 417 is amended by adding at the end the follow-
23 ing:

“41743. Airports not receiving sufficient service.”.

In section 211(a) of the bill, in the second sentence of the matter proposed to be added as section 41763(b)(1)(E), insert “, subject to appropriations,” after “the Secretary”.

In section 211(a) of the bill, in the second sentence of the matter proposed to be added as section 41763(c)(3), insert “, subject to appropriations,” after “the Secretary”.

In section 211(a) of the bill, in the second sentence of the matter proposed to be added as section 41763(d)(2)(G), insert “, subject to appropriations,” after “the Secretary”.

Redesignate section 904 of the bill as section 905 and insert after section 903 of the bill the following (and conform the table of contents of the bill accordingly):

1 **SEC. 904. ADJUSTMENTS TO DISCRETIONARY SPENDING**
2 **LIMITS.**

3 When the President submits the budget under section
4 1105(a) of title 31, United States Code, for fiscal year
5 2001, the Director of the Office of Management and
6 Budget shall, pursuant to section 251(b)(1)(A) of the Bal-
7 anced Budget and Emergency Deficit Control Act of 1985,
8 calculate and the budget shall include appropriate reduc-
9 tions to the discretionary spending limits for each of fiscal

1 years 2001 and 2002 set forth in section 251(c)(5)(A) and
2 section 251(c)(6)(A) of that Act (as adjusted under sec-
3 tion 251 of that Act) to reflect the discretionary baseline
4 trust fund spending (without any adjustment for inflation)
5 for the Federal Aviation Administration that is subject to
6 section 902 of this Act for each of those two fiscal years.

Strike section 201 of the bill and insert the follow-
ing:

7 **SEC. 201. ACCESS TO HIGH DENSITY AIRPORTS.**

8 (a) PHASEOUT OF SLOT RULE FOR O'HARE,
9 LAGUARDIA, AND KENNEDY AIRPORTS.—Section 41714
10 is amended by adding at the end the following:

11 “(j) PHASEOUT OF SLOT RULE FOR O'HARE,
12 LAGUARDIA, AND KENNEDY AIRPORTS.—

13 “(1) O'HARE AIRPORT.—The slot rule shall be
14 of no force and effect at O'Hare International
15 Airport—

16 “(A) effective March 1, 2000—

17 “(i) with respect to a regional jet air-
18 craft providing air transportation between
19 O'Hare International Airport and a small
20 hub or nonhub airport—

21 “(I) if the operator of the re-
22 gional jet aircraft was not providing

1 such air transportation during the
2 week of June 15, 1999; or

3 “(II) if the level of air transpor-
4 tation to be provided between such
5 airports by the operator of the re-
6 gional jet aircraft during any week
7 will exceed the level of air transpor-
8 tation provided by such operator be-
9 tween such airports during the week
10 of June 15, 1999; and

11 “(ii) with respect to any aircraft pro-
12 viding foreign air transportation;

13 “(B) effective March 1, 2001, with respect
14 to any aircraft operating before 2:45 post
15 meridien and after 8:15 post meridiem; and

16 “(C) effective March 1, 2002, with respect
17 to any aircraft.

18 “(2) LAGUARDIA AND KENNEDY.—The slot rule
19 shall be of no force and effect at LaGuardia Airport
20 or John F. Kennedy International Airport—

21 “(A) effective March 1, 2000, with respect
22 to a regional jet aircraft providing air transpor-
23 tation between LaGuardia Airport or John F.
24 Kennedy International Airport and a small hub
25 or nonhub airport—

1 “(I) if the operator of the re-
2 gional jet aircraft was not providing
3 such air transportation during the
4 week of June 15, 1999; or

5 “(II) if the level of air transpor-
6 tation to be provided between such
7 airports by the operator of the re-
8 gional jet aircraft during any week
9 will exceed the level of air transpor-
10 tation provided by such operator be-
11 tween such airports during the week
12 of June 15, 1999; and

13 “(B) effective January 1, 2007, with re-
14 spect to any aircraft.”.

15 (b) ADDITIONAL EXEMPTIONS FROM SLOT RULE.—
16 Section 41714 is amended by striking subsections (e) and
17 (f) and inserting the following:

18 “(e) ADDITIONAL EXEMPTIONS FROM SLOT RULE.—

19 “(1) SLOT EXEMPTIONS FOR AIRPORTS NOT RE-
20 CEIVING SUFFICIENT SERVICE.—

21 “(A) IN GENERAL.—Notwithstanding
22 chapter 491, the Secretary may by order grant
23 exemptions from the slot rule for Ronald
24 Reagan Washington National Airport and
25 O’Hare International Airport to enable air car-

riers to provide nonstop air transportation using jet aircraft that comply with the stage 3 noise levels of part 36 of title 14, Code of Federal Regulations, between the airport and a small hub or nonhub airport that the Secretary determines has (i) insufficient air carrier service to and from Reagan National Airport or O'Hare International Airport, as the case may be, or (ii) unreasonably high airfares.

“(B) NUMBER OF SLOT EXEMPTIONS TO BE GRANTED.—

“(i) REAGAN NATIONAL.—

“(I) MAXIMUM NUMBER OF EXEMPTIONS.—No more than 2 exemptions from the slot rule per hour and no more than 6 exemptions from the slot rule per day may be granted under this paragraph for Ronald Reagan Washington National Airport.

“(II) MAXIMUM DISTANCE OF FLIGHTS.—An exemption from the slot rule may be granted under this paragraph for Ronald Reagan Washington National Airport only if the flight utilizing the exemption begins

1 or ends within 1,250 miles of such
2 airport and a stage 3 aircraft is used
3 for such flight.

4 “(ii) O’HARE AIRPORT.—20 exemp-
5 tions from the slot rule per day shall be
6 granted under this paragraph for O’Hare
7 International Airport.

8 “(2) SLOT EXEMPTIONS AT O’HARE FOR NEW
9 ENTRANT AIR CARRIERS.—

10 “(A) IN GENERAL.—The Secretary shall
11 grant 30 exemptions from the slot rule to en-
12 able new entrant air carriers to provide air
13 transportation at O’Hare International Airport
14 using stage 3 aircraft.

15 “(B) PRIORITY CONSIDERATION.—In
16 granting exemptions under this paragraph, the
17 Secretary shall give priority consideration to an
18 application from an air carrier that, as of June
19 15, 1999, operated or held fewer than 20 slots
20 at O’Hare International Airport.

21 “(3) INSUFFICIENT APPLICATIONS.—If, on the
22 180th day following the date of enactment of the
23 Aviation Investment and Reform Act for the 21st
24 Century, the Secretary has not granted all of the ex-
25 emptions from the slot rule made available under

1 this subsection at an airport because an insufficient
2 number of eligible applicants have submitted appli-
3 cations for the exemptions, the Secretary may grant
4 the remaining exemptions at the airport to any air
5 carrier applying for the exemptions for the provision
6 of any type of air transportation. An exemption
7 granted under paragraph (1) or (2) pursuant to this
8 paragraph may be reclaimed by the Secretary for
9 issuance in accordance with the terms of paragraph
10 (1) or (2), as the case may be, if subsequent applica-
11 tions under paragraph (1) or (2), as the case maybe,
12 so warrant.

13 “(f) REQUIREMENTS RELATING TO ADDITIONAL
14 SLOT EXEMPTIONS.—

15 “(1) APPLICATIONS.—An air carrier interested
16 in obtaining an exemption from the slot rule under
17 subsection (e) shall submit to the Secretary an appli-
18 cation for the exemption. No application may be
19 submitted to the Secretary under subsection (e) be-
20 fore the last day of the 30-day period beginning on
21 the date of enactment of the Aviation Investment
22 and Reform Act for the 21st Century.

23 “(2) PERIOD OF EFFECTIVENESS.—An exemp-
24 tion from the slot rule granted under subsection (e)
25 shall remain in effect only while the air carrier for

1 whom the exemption is granted continues to provide
2 the air transportation for which the exemption is
3 granted.

4 “(3) TREATMENT OF CERTAIN COMMUTER AIR
5 CARRIERS.—The Secretary shall treat all commuter
6 air carriers that have cooperative agreements, in-
7 cluding code share agreements with other air car-
8 riers, equally for determining eligibility for exemp-
9 tions from the slot rule under subsection (e) regard-
10 less of the form of the corporate relationship be-
11 tween the commuter air carrier and the other air
12 carrier.”.

13 (c) DEFINITIONS.—

14 (1) IN GENERAL.—Section 41714(h) is amend-
15 ed by adding at the end the following:

16 “(5) NONHUB AIRPORT.—The term ‘nonhub
17 airport’ means an airport that each year has less
18 than .05 percent of the total annual boardings in the
19 United States.

20 “(6) REGIONAL JET AIRCRAFT.—The term ‘re-
21 gional jet aircraft’ means a 2-engine jet aircraft with
22 a design capacity of 70 or fewer seats, manufactured
23 after January 1, 1992, that has an effective per-
24 ceived noise level on takeoff not exceeding 83 deci-
25 bels when measured according to the procedures de-

1 scribed in part 36 of title 14, Code of Federal Regu-
2 lations.

3 “(7) SLOT RULE.—The term ‘slot rule’ means
4 the requirements of subparts K and S of part 93 of
5 title 14, Code of Federal Regulations.

6 “(8) SMALL HUB AIRPORT.—The term ‘small
7 hub airport’ means an airport that each year has at
8 least .05 percent, but less than .25 percent, of the
9 total annual boardings in the United States.

10 “(9) UNREASONABLY HIGH AIRFARE.—The
11 term ‘unreasonably high airfare’, as used with re-
12 spect to an airport, means that the airfare listed in
13 the table entitled ‘Top 1,000 City-Pair Market Sum-
14 marized by City’, contained in the Domestic Airline
15 Fares Consumer Report of the Department of
16 Transportation, for one or more markets for which
17 the airport is a part of has an average yield listed
18 in such table that is more than 19 cents.”.

19 “(2) REGULATORY DEFINITION OF LIMITED IN-
20 CUMBENT CARRIER.—The Secretary shall modify the
21 definition of the term “limited incumbent carrier” in
22 subpart S of part 93 of title 14, Code of Federal
23 Regulations, to require an air carrier or commuter
24 operator to hold or operate fewer than 20 slots (in-
25 stead of 12 slots) to meet the criteria of the defini-

1 tion. For purposes of this section, such modification
2 shall be treated as in effect on the date of enactment
3 of this Act.

4 (d) PROHIBITION ON SLOT WITHDRAWALS.—Section
5 41714(b) is amended—

6 (1) in paragraph (2)—

7 (A) by inserting “at O’Hare International
8 Airport” after “a slot”; and

9 (B) by striking “if the withdrawal” and all
10 that follows before the period; and

11 (2) by striking paragraph (4) and inserting the
12 following:

13 “(4) CONVERSION OF SLOTS.—Effective March
14 1, 2000, slots at O’Hare International Airport allo-
15 cated to an air carrier as of June 15, 1999, to pro-
16 vide foreign air transportation shall be made avail-
17 able to such carrier to provide interstate or intra-
18 state air transportation.”.

19 (e) CONFORMING AMENDMENTS.—Section 41714(c)
20 is amended—

21 (1) by striking “SLOTS FOR NEW ENTRANTS.—
22 ” and all that follows through “If the” and inserting
23 “SLOTS FOR NEW ENTRANTS.—If the”; and

24 (2) by striking paragraph (2).

1 (f) AMENDMENTS REFLECTING PHASEOUT OF SLOT
2 RULE FOR CERTAIN AIRPORTS.—Effective January 1,
3 2007, section 41714 is amended—

4 (1) by striking subsections (a), (b), (c), (e), (f),
5 (g), (h), and (i);

6 (2) by redesignating subsections (d) and (j) as
7 subsections (a) and (b), respectively;

8 (3) in the heading for subsection (a) (as so re-
9 designated) by striking “SPECIAL RULES FOR”; and
10 (4) by adding at the end the following:

11 “(c) DEFINITIONS.—

12 “(1) NONHUB AIRPORT.—The term ‘nonhub
13 airport’ means an airport that each year has less
14 than .05 percent of the total annual boardings in the
15 United States.

16 “(2) REGIONAL JET AIRCRAFT.—The term ‘re-
17 gional jet aircraft’ means a 2-engine jet aircraft with
18 a design capacity of 70 or fewer seats, manufactured
19 after January 1, 1992, that has an effective per-
20 ceived noise level on takeoff not exceeding 83 deci-
21 bels when measured according to the procedures de-
22 scribed in part 36 of title 14, Code of Federal Regu-
23 lations.

24 “(3) SLOT.—The term ‘slot’ means a reserva-
25 tion for an instrument flight rule takeoff or landing

1 by an air carrier or an aircraft in air transpor-
2 tation.”.

3 “(4) SLOT RULE.—The term ‘slot rule’ means
4 the requirements of subparts K and S of part 93 of
5 title 14, Code of Federal Regulations (pertaining to
6 slots at high density airports).

7 “(5) SMALL HUB AIRPORT.—The term ‘small
8 hub airport’ means an airport that each year has at
9 least .05 percent, but less than .25 percent, of the
10 total annual boardings in the United States.

11 “(6) UNREASONABLY HIGH AIRFARE.—The
12 term ‘unreasonably high airfare’, as used with re-
13 spect to an airport, means that the airfare listed in
14 the table entitled ‘Top 1,000 City-Pair Market Sum-
15 marized by City’, contained in the Domestic Airline
16 Fares Consumer Report of the Department of
17 Transportation, for one or more markets for which
18 the airport is a part of has an average yield listed
19 in such table that is more than 19 cents.”.